

JUAN P. JUAN

called as a witness on behalf of the Prosecution, being first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

Q (By Captain Hill) Please state your name.

A My name is Juan P. Juan.

Q Where do you reside, Mr. Juan?

A I reside at 1312 General Luna Street.

Q Where is that with reference to the former Philippine Red Cross Headquarters Building?

A It is just next door, back of the former Philippine Red Cross Building.

Q The building that was used for that purpose on 10 February 1945?

A (No response.)

Q You are next door to the building that was used as the Philippine Red Cross Headquarters in early February of this year?

A Yes, sir.

Q How old are you?

A I am 47 years old.

Q What is your business or profession?

A I am not in any profession, but I have been engaged in business, in the Educational Alliance, since 1935.

Q On 10 February, 1945, did you have occasion to go to the Red Cross building adjacent to your home?

A Yes. I was practically there the whole day on February 10th.

Q Tell the Commission the occasion for your going to that building that day.

A As my house was just beside the Red Cross building, and the other house of mine was just 50 meters away from the place, on February 9th, in the evening, we had no other place to go than the house that belongs to me at the back of the Philippine Red Cross. So we slept there on the night of February 9th. On February 10th intense shelling was going on. Shells were dropping around my yard and my building was already hit. So we were in commotion, and my wife and I decided to go to the Philippine Red Cross Building, especially when we accepted an invitation from Mr. Farolan, then in charge of the Philippine Red Cross. So after breakfast on February 10th I brought my whole family inside the Philippine Red Cross, because it was being used as an emergency hospital. My daughter then needed the doctor's assistance, so I took the opportunity to bring the family inside the Red Cross Building, especially when my daughter had just delivered and needed doctor's assistance because she was weak due to hemorrhage and exhaustion while running away from the other building that I have which was burned the night before.

Q Now, just a minute. Let me interrupt you. Tell the Commission how many members of your family went to the Red Cross Building that day.

A Fifteen altogether.

Q Fifteen?

A Yes.

Q And did all of the 15 remain in the building throughout the day and evening?

A A few of us happened to step outside late in the evening of that day, when it was almost dinner time, before dark, because our food was prepared outside of the Red Cross, inside my yard.

Q And how many members of your family remained in the building when the few of you went back to your yard?

A Ten of them remained inside the Red Cross Building.

Q Give the Commission the names of those ten members of your family that remained there in the building.

A There were my wife, Lucia Santos de Juan; my daughter, Paulina Juan Zabala, who had the baby; my older daughter, Juanita Juan Marcelo, with four children; and my daughter-in-law, Nenita Recio de Santos, with two children.

Q After you returned to your yard to prepare the food did you hear any noise or anything unusual from the direction of the Red Cross Building?

A Yes. About almost less than an hour after I left the Red Cross Building I was standing at the back yard supervising the cooking. Suddenly I heard shots from inside the Red Cross and simultaneously with the screaming of women. Then more shots followed and more screaming was heard.

My reaction was that the Japanese were killing the German refugees -- German-Jew refugees -- whom I saw inside the building when I left. My reaction was that the German-Jews were being killed, because I remember a statement of one of the Japanese officers that the Orient should be for the Orientals, and that there should be no mixed blood.

Q Now, just a minute. Did you know the name of that Japanese who made that statement to you?

A The second name is Captain Watasaki.

Q And when did he make that statement to you?

A That was more or less two or three months before the massacre.

Q Did you know this Japanese captain personally?

A I happened to know him several months before that when he was introduced to me by a certain friend of mine in Paranaque.

Q Just what were the circumstances under which you had the conversation with this Japanese captain?



A As he used to visit me in the house time and again, we happened to mention about the last war, the war that was going on then, and in the course of our conversation he said that eventually the war will soon end; that the Japanese --

COLONEL HENDRIX: If it please the Commission, at this time we would like to interpose an objection to this particular answer, and any line of questioning, on the ground of hearsay, as to what this particular witness heard another witness state; and further, that it is violative, and not in accordance with Article of War 38 in the Manual for Courts Martial and the rules of evidence in criminal cases in the District Courts of the United States. This witness is attempting to state what a captain in the Japanese Army has told him. That is hearsay. The captain should be here before this commission to testify as to whatever he did say.

MAJOR KERR: If the Commission please, this is a very important question. During the course of this trial the Commission will receive, or at least we will offer to the Commission, a considerable quantity of hearsay evidence. I advert once again to the regulations which provide that this Commission shall receive such evidence as it believes to have probative value.

The Commission is not a jury to be insulated mentally against every possible suggestion. You gentlemen are certainly in a position to evaluate hearsay, or any other type of evidence that may be of value to you. The closest analogy on this question to an executive body such as this, a military commission, is afforded by an administrative tribunal. I believe counsel will grant that under American practice the administrative tribunals have been held by our courts to have a very broad leeway as to the receipt of evidence of this sort, and that they may receive hearsay evidence if they believe it will help them in the determination of the issues before them.

If that is true as to an American administrative tribunal under the statutes applicable to those tribunals, certainly it is true as to this Commission. And I most earnestly submit, sir, that the Commission will deny itself some extremely illuminating, trustworthy, and helpful evidence, which certainly would have probative value, I am sure, in the mind of any reasonable man.

I certainly object to any effort by counsel to prevent the introduction of so-called hearsay evidence in this proceeding. Furthermore, there are about 57 different varieties of exceptions to the so-called hearsay rule, and if the Commission has to get into that maze of legal technicalities as to what is and what is not admissible as hearsay, we will be here for months.

COLONEL HENDRIX: If it please the Commission, it is not the purpose of the Defense to delay the case or to drag it out, but we do want the case to be tried along the rules of evidence as have been approved by the District Courts of the United States. We base that on this:

Article of War 38 states: "The President may, by regulations which he may modify from time to time, prescribe the procedure, including modes of proof, in cases before courts-martial, courts of inquiry, military commissions and other military tribunals, which regulation shall, in so far as he shall deem practicable, apply the rules of evidence generally recognized in the trial of criminal cases in the District Courts of the United States, provided that nothing contrary to or inconsistent with these Articles shall be so prescribed; provided, further, that all rules made in pursuance of this Article, shall be laid before the Congress annually."

I do not concur with the Prosecution as to his contentions of administrative practice and procedure in the United States. In one breath the Prosecutor states, "We do not have any rules and regulations". Then in another breath he attempts to write in the Massachusetts law, and certain rules and regulations of administrative procedure.

We take this position: Congress, by virtue of the Constitution of the United States, passed certain laws called the Articles of War. Article 38 is one of the statutes that is a part of the Articles of War. That particular Article of War gave the President of the United States the power to do two things: One was to prescribe rules of procedure and make rules of evidence for courts-martial; and the other for military commissions.

This Manual pertains largely to courts martial. The President of the United States has so acted, so far as courts martial are concerned, but from the record in this case, from what has been brought before this Military Commission, there is nothing on this subject as to the actions of the President of the United States for prescribing rules and regulations as to evidence.

In the absence of action from the President of the United States it surely was the intent of Congress that if the President did not do anything about prescribing such rules, the rules of evidence generally recognized in the trial of criminal cases in the District Courts of the United States must apply. Let us assume that the President did act on this subject. If he had, he would have to go by the rules in the Federal Court, so far as possible.

There has been presented to this Commission a letter that the Prosecution has mentioned on numerous instances and no doubt will, throughout this trial, which letter is dated the 24th of September, 1945, concerning the regulations governing the trial of war criminals, and so forth. We contend that this particular letter setting out the procedure such as evidence, bringing in hearsay, bringing in affidavits, bringing in what witnesses heard from other people, is absolutely null and void; that this entire letter is null and void; that General MacArthur, in preparing this letter, did not have authority from Congress to make any rules or procedures of a military commission. The only man in the world that has such power from Congress is the President, and he has not done anything about prescribing any rules, as far as the record in this case shows.

We insist that any hearsay as to this witness, or any other witnesses, must be ruled out and should not be allowed in evidence. Furthermore, we contend that as far as the rules are concerned, they should not go by this letter issued by General MacArthur, but by the rules of procedure of the Congress of the United States.

It comes down to this: Congress has made Article 38. Apparently the Commission will have to decide whether we are going to decide the evidence on what Congress has passed, or whether we will go by a letter that has been prepared by General MacArthur and which has directed General Styer to carry on this trial. We contend that the hearsay should be stricken and not allowed.

GENERAL REYNOLDS: Subject to objection by any member of the Commission, the objection of counsel for the Defense is not sustained.

COLONEL HENDRIX: We except to that, sir.

GENERAL REYNOLDS: As to the stating of exceptions, the proceedings of this Commission, unlike that of civil courts, are automatically subject to review. All rulings and decisions and findings are subject to review of the appointing authority. Accordingly, the statement of exceptions from counsel is not in order and will not be recognized by this Commission.



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COLONEL CLARKE: If the Court please, that is new to me. If that is the contention of the Prosecution, if he can show us the authority, we are willing to abide thereby.

GENERAL REYNOLDS: The Prosecution will continue.

Q (By Captain Hill) Mr. Juan, I believe my last question was that I asked you to tell the Commission the circumstances under which you had the conversation with the Japanese captain which you related to the Commission.

A On several occasions the Japanese captain which I mentioned used to visit my family. I don't remember exactly what particular visit was that when he mentioned to me that the Orient should be for the Orientals, and that there should be no mixed blood. But we happened to talk about what would be the outcome of the war, and he said that it is not far when the war will end and people in the Orient will live in peace without being disturbed.

Q And what position, if you know, did this Japanese captain hold in your particular neighborhood with the Japanese Imperial Army?

A The last time that I know of his outpost was in Santa Mesa, and I think he was connected with the construction of railroads.

Q Did he say anything to you about where he had gotten his authority for the making of such a statement?

A He didn't say anything about it.

Q Continue with your story of what happened there at the Red Cross Building and in your yard after you heard the shots and screams about which you have testified.

A As I heard more shots and more screaming of people I told the rest of my children who were outside the building with me to get inside the building and not to come out. A few of us men outside posted ourselves around the building so we could see whether the Japanese were coming or not. One by the name of Romano Abad, who is a brother to Patrocinio Abad, one of the victims in the Red Cross, he stayed near the Red Cross Building, and when he saw a certain Japanese with fixed bayonet climb up the fence he ran to us and told us what he saw.

Q Did this Japanese come on over into your yard over the wall?

A He did not continue to get into my yard because he didn't see anything there. We were all hiding.

Q When did you first learn what had actually happened over in the Red Cross Building?

A At about dark time that evening one of our maids, Leticia by name, came into the air raid shelter, and she was pale and looked very much afraid and could hardly talk. And so we ask her, "What happen?"

Q Just let me interrupt you. Where had she come to the shelter from?

A From inside the Red Cross Building.

Q Go ahead.

A And then she burst, cried, and could hardly get her words, and told us that the Japanese killed everybody inside the Red Cross Building, including my wife and all my grandchildren. That was the first time I learned about the tragedy that happened to my family.

Q Did you go to the Red Cross Building later?



A I attempted to go that evening, February 10th, about midnight, but the rest of my children who were with me inside the air raid shelter prevented me from getting out of the air raid shelter, especially when one of the survivors told us that there were still Japanese soldiers in front of the Red Cross Building. So I did not go any more and waited the following day.

Q Did you go there the following day?

A On the following day the shelling was very intense. We could hardly get out of the air raid shelter, and besides, the buildings all around us were on fire.

Q Did you go to the building later?

A On the following day, on the evening of the 12th, I, with my son-in-law, Jose Zabala, whose wife was killed, went inside the Red Cross Building then, after two days, after the massacre.

Q Was it light or dark when you went to the building?

A It was not exactly dark yet. There was still plenty of light. But it was getting dark.

Q When you went into the building did you see any dead bodies there?

A I saw plenty of dead bodies on the corridor as I proceeded to the room where I thought my wife and children were.

Q Can you give the Commission an estimate of how many dead bodies you think you saw in the corridor and in the room where you thought your wife's body would be?

A My approximate estimate is about 20 bodies.

Q In those two places?

A Yes.

Q Were you able to identify and recover the body of your wife or any other members of your family?

A On that evening of February 10th I only saw the bodies of my daughter, Paulina. I tried to look in the same room where my daughter was for the rest of my family, but I could not find them.

Q Were you able to recover any bodies there and take them out of the building?

A We were able to recover the 10-day baby of my daughter.

Q Any other bodies?

A I could not recover any more excepting the bones of the rest of the family.

Q Do you know whether any other bodies were identified and recovered from the building?

A The daughter, the 10-month daughter of Corazon Noble was also recovered and brought into my yard.

Q Mr. Juan, how long did you remain at your home adjacent to the Red Cross Building after the 10th?

A Four days, as we left the premises on the 14th -- February 14th.

Q Were you present in your home when the Red Cross Building was destroyed?

A Yes, I was.

Q Will you tell the Commission how that building was destroyed?

A On the early morning of February 14th, or when I was at the back yard of my building, I saw flickering lights inside the room where the manager, or Mr. Faralon, was, as I was actually in that room there. I had been observing what was going on, whether there was somebody inside the building, but I didn't notice anybody. And for several minutes, approximately less than half an hour, I noticed that very suddenly the flickering light burst into flames, and that part of the building where my daughter was then enveloping in flames.

Q Were any members of the Japanese forces in your neighborhood at the time the building burned?

A I did not notice any, but I noticed several soldiers on that street in front of the Red Cross Building.

Q On that day?

A On that day.

Q Do you know whether or not the Red Cross Building was hit by any shells prior to the time that you saw it burn?

A I didn't notice any.

CAPTAIN HILL: I will ask that this be marked Prosecution's Exhibit No. 15 for Identification.

(The photograph of the Philippine Red Cross Building was marked Prosecution's Exhibit No. 15 for Identification).

Q (By Captain Hill) I will hand you Prosecution's Exhibit 15 and ask you to state to the Commission what it is, if you know?

A This is the former Philippine Red Cross Building as it stands now, after it had been burned.

CAPTAIN HILL: We offer Exhibit 15 in Evidence.

GENERAL REYNOLDS: Is there any objection by the Defense?

COLONEL CLARKE: None, sir.

GENERAL REYNOLDS: There being no objection, it is accepted as evidence.

(Prosecution's Exhibit No. 15 for Identification was received in evidence and so marked).

Q (By Captain Hill) On the 14th, the day that you saw the building burned, were those persons that you saw in front of the headquarters building Japanese soldiers?

A They were Japanese soldiers, because they had the uniform of the Japanese, and no other civilians could roam around that building there.

Q They wore the uniform of a Japanese soldier?

A Soldier.



CAPTAIN HILL: I ask that this be marked Prosecution's Exhibit No. 16.

(The photograph of ruins inside Philippine Red Cross Building was marked Prosecution's Exhibit No. 16 for identification).

Q (By Captain Hill) I will hand you Prosecution's Exhibit No. 16 and ask you to state what it is, if you know?

A This is part of the ruins of the Philippine Red Cross inside the building. I think this must be a portion of the toilet.

CAPTAIN HILL: We offer in evidence Prosecution's Exhibit No. 16, sir.

GENERAL REYNOLDS: Is there objection by the Defense?

COLONEL CLARKE: None, sir.

GENERAL REYNOLDS: There being no objection, it is accepted in evidence.

(Prosecution's Exhibit No. 16 for Identification was received in evidence and so marked.)

CAPTAIN HILL: I ask that this be marked Prosecution Exhibit No. 17 for Identification.

(The photograph of grave of 10-day baby was marked Prosecution's Exhibit No. 17 for Identification.)

Q (By Captain Hill) I hand you Prosecution's Exhibit No. 17 for Identification and ask you to state what it is, if you know, Mr. Juan?

A This is the photograph of the grave of the 10-day baby of my daughter, including the 10-month baby of Corazon Noble, inside my yard at the back of my house.

CAPTAIN HILL: We offer in evidence Prosecution's Exhibit No. 17, sir.

GENERAL REYNOLDS: Is there objection by the Defense?

COLONEL CLARKE: If the Court please, on these various exhibits, unless we state an objection, if the Court is satisfied, it will be admitted without any objection.

GENERAL REYNOLDS: I didn't clearly understand.

COLONEL CLARKE: On these exhibits that are now read, unless we state an objection, will the Court understand that we have no objection, without having to go through it each time?

GENERAL REYNOLDS: Very well.

(Prosecution's Exhibit No. 17 for Identification was received in evidence and so marked.)

Q (By Captain Hill) Mr. Juan, you were in your home adjacent to the Philippine Red Cross Headquarters Building from the time the fighting in Manila between the Americans and the Japanese began, until February 14th, is that correct?

A Yes, sir.

Q And during that time, and up until the 10th of February, the night of 10 February 1945, was the Red Cross Headquarters Building used for any military purpose by the Filipinos or by the Americans?

A It was not used for military purpose because it was then used as an emergency hospital.

Q Did you observe, on the 10th of February, whether or not the Red Cross insignia or conventional sign appeared upon the outside of the Red Cross Building there?

A Yes. I noticed that even at the back of the building there was the Red Cross sign.

Q Did that sign appear on other sides of the building?

A Yes, that appeared.

Q When you went into the Red Cross Building on the 10th were any of the people in the building that you saw armed in any way?

A No. There was no arm whatsoever.

Q Were all of the people in the building non-combatant civilians?

A Yes. They were all non-combatant; mostly children, refugees, and patients, who were then being treated by nurses and doctors.

Q From your knowledge and observation, after the murders had taken place, can you give the Commission an estimate of how many persons lost their lives there in the Red Cross Building at the hands of the Japanese on the 10th of February, 1945?

A I cannot exactly tell the number, because I didn't get inside the other rooms.

Q Can you make an estimate?

A I figure it to be approximately around 30 to 40.

CAPTAIN HILL: Cross Examine.

#### CROSS EXAMINATION

Q (By Captain Reel) When did the fighting in Manila begin?

A Only in our place I can state when, because we couldn't go outside of our yard.

Q Well, you told us a moment ago that you were at home from the beginning of the fighting until the 14th of February. All I want to know is what you mean by "beginning of fighting." When did it begin?

A I only learned that the American forces were already on the north side of the River on the 3rd.

Q Yes. Did you see any American soldiers between February 3rd and February 10th?

A The first time I saw the American soldier was on February 13th, when they came around my yard.

Q Were there any Filipino soldiers in your neighborhood at that time?

A I didn't see any Filipino soldiers.



Q Was there aerial bombardment going on after the 3rd of February?

A I didn't notice. Mostly artillery shells.

Q Artillery shells. And when you say you went to the air raid shelter, that was for protection against artillery shells?

A Yes.

Q And when did this artillery shelling begin, approximately?

A In our neighborhood the shelling began on February 9th, in the morning.

Q In other words, the day before this incident at the Red Cross Building the shelling began?

A Yes.

Q And your home building, I believe you said, was hit by a shell that day?

A No. The first building where I used to live before was burned by the Japanese on that same night.

Q That was the 9th of February?

A That was the 9th of February.

Q Didn't you say that the building was hit by shells?

A The other building at the back of the Red Cross was hit by shells on February 10th.

Q February 10th. I see. At the time you saw the flames in the Red Cross Building -- I think you said a "flicker" -- did you see any persons in that room where the light was flickering?

A I didn't see any.

Q Did you see anyone in the Red Cross Building at all after the flames started coming out of it?

A I didn't see any.

Q You told us that you saw some Japanese soldiers in front of the building. Just when, with relation to the fire, did you see them in front of the building?

A I saw the Japanese soldiers before the fire took place.

Q How long before the fire took place?

A On February 12th, when I went inside the building, I looked at some soldiers in front of the building.

Q And what day did the fire occur?

A The fire occurred in the early morning of February 14th.

Q So that it was two days before the fire that you saw the Japanese soldiers in front of the building?

A Yes. But we notice continuous movement of Japanese soldiers on the street just in front of the building continuously after the fire.

Q Did you see Japanese soldiers in front of the building after the 12th of February?

A Not exactly in front of the building.

Q You mean they were active in the City?

A Yes.

Q They were active in the area?

A Yes.

Q All right. Will you describe for us the Japanese soldier's uniform?

A I only noticed that the soldiers were dressed in olive green.

Q Any insignia that you remember?

A I didn't notice any more.

Q Will you describe for us the uniform of the Japanese sailor?

A Japanese?

Q Sailor. One who is on a boat; a sailor.

A I didn't see any Japanese sailor.

Q Let me ask you this: Do you know what the uniform of a Japanese sailor looks like?

A I am not familiar with the uniform of the Japanese sailor.

Q If I told you that the Japanese sailors wore the same colored green as the Japanese soldiers, would you then express some doubt as to whether or not those persons you saw were soldiers or sailors?

A I could only identify they are sailors when they show their cap with the anchor sign on it.

Q Ah, fine! So that you do know that a Japanese sailor has an anchor on his cap?

A That is my identification.

Q And what does a Japanese soldier have on his cap?

A Star.

Q And did you see the caps of these men who were in front of the Red Cross Building on the 12th of February?

A I didn't notice any more the caps.

CAPTAIN REEL: That's all.

CAPTAIN HILL: That's all.

(Witness excused.)



C E R T I F I C A T E

I, Alva C. Carpenter, Chief, Legal Section, General Headquarters, Supreme Commander for the Allied Powers, do hereby certify that Document 2869 is a true and correct copy of the transcript of the testimony offered by JUAN P. JUAN in the trial of the case against Tomoyuki YAMASHITA, General, Imperial Japanese Army, before a Military Commission in Manila; and that the whole record of the case, including the transcript of all testimonies taken, as well as the affidavits admitted in evidence, are now on file with this Section.

/s/ Alva C. Carpenter  
Alva C. Carpenter  
Chief, Legal Section

Witness: /s/ John R. Pritchard

Sworn to before me this 21st day  
of November 1946, Tokyo, Japan,

/s/ John R. Pritchard

Capt. Inf.

Summary Court.

Ex 1435

文書第三二八一号

Doc 28.1 質問 ジェアン・ロ・ジュアン / JUAN P. JUAN /

右者檢察部側証人として召喚され、先づ我ニ直轄ヨミタル後訊問  
ヲ受テ次、如何証言セリ

直接訊問

問 (正統三條) アタシ名前ヲ如何トナサリ

答 私、名前ハジェアン・ロ・ジュアン / JUAN P. JUAN / ナリ

問 何處ニ住ミテナカシカ ジェアン・ロ・ジュアン

答 私ハジェネラル・ル・ストリート / GENERAL LUNDA / 一三二番地ニ住ミテ  
居ラス

問 ソレハ前ノテリトシテ赤キ本殿ノ建物ヲ見テドナラニナリヤカ

答 ソレハ直ニ隣リ家ヲ前ノテリトシテ赤キ本殿ノ建物、後口ナリ

問 ソレ建物ハ九四五年、昭和三十三年三月十日ニソノ目的、爲ニ使用サ  
レタリヤ

答 (是は然也)

問 貴方ハ何時ノ月初旬ニソレトシテ赤キ本殿トシテ使用サレタ  
建物ニ隣リテス

答 左様ニ御座イマス

問 何歳ナリカ

答 四十七歳ナリ

問 貴方ハ商賣又ハ職業ハ何ナリ

答 私ハ職業ハナシセシニ九三五年、昭和十八年、東京警察同盟、中予  
商賣ニ従事シテ居ラス

問 貴方ハ九四五年、昭和三十三年三月十日ニ貴方、家、隣リ



Doc 2881

赤十字ノ建物ニ行く機会がアリマシタカ

答ハ、行キマシタ。私ハ實際ニ二月十日ニ終日其処ニ居マシタ

向其日ニドウシテ其ノ建物ニ行ツタカラ委員會ニ訪シテ下サイ。

答、私ノ家ハ赤十字ノ建物ノ直ガ側ニ在リ又私ノ他ノ家ハ其処カラ

恰度五十米離レタ所ニ在リマシタ。二月九日ノ夜ハ、フリーウィング

赤十字ノ後ニ在ル私所有ノ家ニ行ツヨリ外ニ場所ガアリマセンシタ。

ソレデ二月九日ノ夜ハ私達ハ其處デ寝マシタ。二月十日ハ砲撃ガ

盛ニ行ハレテ居マシタ。砲彈ハ私ノ家ノ庭近クニ落ケテ来ルシ

私ノ家ハモウ既ニ砲彈ガ當リテ居マシタ。ソレデ私達モ動搖

シ、妻ト私ハフリーウィング赤十字ニ建物ニ行ク決心ヲシマシタ。殊ニ

當時フリーウィング赤十字社ヲ管理シテ居タル「ドック」(FAROLAN)氏

ノ招待ヲ受ケタ時ニ、ソレ決心ヲシマシタ。

ソレデ二月十日朝食後私ハ家族全体ヲフリーウィング赤十字ノ

中ニ連シテ行キマシタ。コノ建物ガ非常好ノ病院トシテ使用

カレテ居タカラアリマス。ソノ時私ノ娘ハ医者ニカカルト要ガ下ツ

タノデ家族ヲ赤十字ノ建物ノ中ニ連シテ行キマシタ。殊ニ私

ノ娘ガ前夜焼ケタ私所有ノ他ノ建物カラ逃ゲル時ニ血ト

疲勞ノ爲ニ弱ツテ居リ且恰度介抱シテ医者ニカカルト

要ノ下ルトモデアツタカラ、ソウ致シマシタ。

問、一寸御邪魔シマス。貴方ノ家族ノ何人ガ其ノ日赤十字ノ建物ニ

行ツタカラ委員會ニ訪シテ下サイ。

答、皆赤十字人デス。

問、十五人デスカ。

答、ソウデス。

No. 2.

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問. ハミ十五人皆晝夜ヲ通シ、建物、中ニ居ニシタカ。

答. 私達、食物、未十字、外側、私、家ノ庭、中ニ用  
意ニテアツタ、暗イテハ、大抵タ食、時刻、ミタガ、一日、  
ヲ亦、通、私達、中、数人が外ニ出ニシタ。

問. 貴方、中、数人が貴方、家ノ庭ニ歸リタ時ニ貴方、  
家族、中、何人が、建物、中ニ残リテ居ニシタカ。

答. 十人未十字、建物、中ニ残リテ居ニシタ。

問. 建物、中ニ残リタ貴方、家族、十人、名前、委員會ニ知  
コトナリ。

答. 残り居タ、ハ、私、妻、ルニアサト又、ミタ、  
DE. JUAN / 私、娘、ホーサ、ミタ、ミタ、  
L.A. / ミタ、ミタ、ミタ、ミタ、ミタ、ミタ、ミタ、ミタ、  
ミタ、ミタ、ミタ、ミタ、ミタ、ミタ、ミタ、ミタ、  
ミタ、ミタ、ミタ、ミタ、ミタ、ミタ、ミタ、ミタ、  
私、息子、嫁、ミタ、ミタ、ミタ、ミタ、  
SANTOS / ミタ、ミタ、ミタ、ミタ、

問. 貴方、が食物ヲ用意スルタ、ミタ、ミタ、  
ミタ、ミタ、ミタ、ミタ、ミタ、ミタ、ミタ、ミタ、  
乃、ミタ、ミタ、ミタ、ミタ、ミタ、ミタ、ミタ、ミタ、

答. ハ、私が未十字、建物ヲ出ニカ、一時間、...

(2881)



Doc 2881

終多頃、秋料理、監督ヲテ居リマシタ。突然赤十字中カラ數  
發銃聲ト同時ニ、叫聲ガ聞エマシタ。ソレカラ又數發、而シテ  
要叫聲ガ聞エマシタ。此、直ヅ、日本兵ガ私ガ出ルキ建物中  
ニ居タ被逸人、避難民——被系猶太人、避難民ヲ殺シテ居ルダ  
ト思ヒマシタ。秋直ヅ被系猶太人ガ殺サレテ居ルダト思ヒマシタ、  
ニ東洋、東洋人、タメニモデアリ、又其処ニ混血ガアジヤ人ナイト  
ヲ、日本將校ガ明書ヲ記憶シテ居タカラデアリマス。

問、一寸オ街々下サイ。アオクニツワイウコトヲ話シタ其、日本兵、名  
前ヲ知テ居マスカ。

答、姓ハ「ワタサキ」/WATASAKI/大尉/CAPTAIN/デス。

問、ソレヲ何時、人ハアタシニ、話ヲ教シマシタカ。

答、ソレハ、一、二、三、四、五、六、七、八、九、十、月、前、デシタ。

問、アオクニ、日本、大尉、ヲアタシ、自、身、知、テ、居、タ、デ、ス、カ。

答、ソレヨリ、數、月、前、ハ、ラ、ナ、ク、/PARANAQUE/、知、ル、或、友、達、ガ、彼、ヲ、私  
ニ、紹、介、シ、タ、デ、ス、私、彼、ヲ、知、ル、ヤ、デ、ス、カ、リ、マ、シ、タ。

問、アオクニ、日本、大尉、ト、會、談、ヲ、シ、タ、ト、キ、事、情、ハ、ド、ナ、モ、デ、シ、タ、デ、ス、カ。

答、彼、ハ、ヨ、ク、私、ノ、家、ニ、私、ヲ、訪、ネ、テ、来、タ、デ、ス、私、達、ハ、前、ニ、戰、争、其、時、恰  
度、統、行、中、戰、争、ノ、ト、ニ、就、テ、話、ス、コ、ト、ガ、ア、リ、話、ヲ、シ、テ、居、ル、中、ニ、彼、ハ  
結、局、戰、争、ハ、直、ニ、終、ル、ダ、ラ、ウ、ト、云、フ、マ、シ、タ。日本、人、ガ、.....

ヘンドリックス/HENDRIX/陸軍大佐。本員會ニオ許ヲ得テ、  
ニ、特、別、證、人、ガ、他、證、人、話、シ、タ、コ、ト、ヲ、聞、イ、タ、ト、イ、フ、コ、ト、ニ、関、シ、傳、聞  
ス、ル、ト、イ、フ、理、由、デ、コ、ト、特、別、答、ト、訊、問、シ、マ、リ、方、ニ、就、テ、兵、令、抗、議、申  
出、度、ト、思、ヒ、マ、ス。尚、ソ、レ、ハ、軍、法、會、議、提、要、戰、争、條、規、第、三、  
八、條、及、合、衆、國、地、方、裁、判、所、刑、事、訴、訟、證、據、規、則、ニ、違、背、シ、  
テ、シ、タ、イ、モ、デ、ア、リ、マ、ス。コ、ト、證、人、ハ、日、本、陸、軍、大、尉、カ、自、分、ニ、話、シ、

No. 4

Dec 28/

タコトヲ語ラントシテ居リマス。ソレハ傳聞するに固ク耐テ居ル事  
凡テ立證スルヲ之使ハコ、委員會ニ出頭スベキ事ナシ。

カ、~~不審~~陰謀少佐。委員會ニテ許サレタリ、コレハ  
大變重キ問題ナリマス。コト審理、進行中澤ハ傳聞  
證據ヲ委員會ニ授ケルカ又ハ少クモ本コト委員會ニ報告スル  
コトナシ。然レ、コト委員會が證據ノ價值ナルモト信心又ハ證據  
據ハ之ヲ委員會が受理スベキナルトイフコト規定ニ細則ニ就テモ  
二度論及ス。

コト委員會ハ凡テ可能ナル提言ニ對シテ心理的ニ隔離セバヤ  
陰謀ナシト、當ガハ確カニ傳聞或ハ皆ハ之價值ナシト思ハレ  
如何ナル型式、證據ヲ先評價シ得ル立場アリマス。コト問題ニ  
就テ、陰謀委員會、他執行政裁局ト酷似セモ、ハ行政裁判  
所ナシ。辯護人、並未加ノ留置ニ依リ行政裁判所ハ、極證據  
據ヲ受理スルコト固シ大ニ余論ヲ持テ、然レ國ノ法度ヨリテ維持  
セテ來タリト及ビ後等、當面ニテ若シ問題決定ニ依リテ信心  
ナク傳聞證據ヲ受入ルコトハ三年容赦ナク又ハ於信シマス。

若シ、コトコト有、裁判所ニ適用シ得ル法令ニ依リテハ行政裁  
判所ニ就テ正シトナシ、ソレハ確カニコト委員會ニ對シテ正シトナ  
アリマス。コトハ、最モ熱ハ中テマスガ、理法ヲ持テ何人、心中ニ確ニ  
證據トシテ價值直ニト思フ極モ明白ナ、信用スベキ而シテ又ハ證據  
ヲ委員會自身が拒絶スルコトナシ。

然レ辯護人側ガ、審理所謂傳聞證據ヲ持出スコトハ勿論  
モトモ心持ナシハ、以テテ又對テマス。尚所謂傳聞規則、例外ニ  
約五七、異ナル種類ガアリマス。ソレヲ若シ委員會が傳聞トシテ

No. 5



Dec 28/

No. 6

評定スベキト評定スベキナルモ、トシテ種々法的技術、迷入、込。  
ナレバ、叔々此処ニ数々同居ナレバナラナラセウ。  
ヘドリックス大佐、委員會、有許ヲ得テコ、訴訟ヲ發端  
カセ又、長引カセルトハ辯護人側ノ目的ヲハナレセシ。然シ合衆國  
地方裁判所ニヨリテ採用ガレテ居ル證據規則ニ依テ此訴訟ヲ審  
理セラルト思ヒマス。私達ハ、以下次ニ述ベル所ニ其根據ヲ求  
ムルベキナラマス、即チ (以下次頁)

Lac 2 A 81

戰爭條規第三十八條曰、大統領ハ時々彼が変更得ル細則ニ依リ、  
軍法會議、查問會、軍事委員會及其他、軍事裁判所、提  
起スル訴訟ニ於テ、立證ノ様式ヲ包含スル訴訟手續ヲ規定  
スル得、ソノ細則ヲ大統領ハ適用可能ト認め限リ、此等條項  
ニ反對シ又ハ矛盾セズガ規定サレ場合、尚、條規ニ從ヒ制定  
セラル凡、規則ハ毎、國會ニ提出セラル場合スベキトス、合衆  
國地方裁判所、刑事訴訟裁判ニ於テ一般ニ認めラル證據ニ関  
スル規則ニ適用サルベキナリ。

(原文四頁)

合衆國ニ於テ行政上、慣行及手續關ニ彼議論就テ私ハ  
檢察部ト意見ヲ異ニス者アリ。或時ニ檢察官ハ規則及  
細則カ、ト申ス。然レ別時ハ、ヤサニヤ、法律、行政  
續、規則及細則、テ書カントシテ居マス。

私達ハ、<sup>（合衆國憲法）</sup>在リマス。即、國會ハ合衆國憲法ニ依リ、戰  
爭條項ニ對シテ、<sup>（合衆國憲法）</sup>法律ヲ制定ス。特別、戰爭條項ハ合  
衆國大統領ハ、<sup>（合衆國憲法）</sup>行ハ権能ヲ賦與シテ居マス。即、  
一、軍法會議ニ對シテ規則ヲ制定シ又證據ニ關スル規則ヲ作  
ルコトアリマス。而シテ他ハ軍事委員會ニエリマス。

ニ、提要求ハ主トシテ軍法會議ニ關係アリマス。合衆國大統領ハ、  
軍法會議ニ關スル限リ、ソノヤツテモミタ。併シテ訴訟ニ於ケル  
記録カ、<sup>（合衆國憲法）</sup>軍事委員會ニ持出セラルカ、判斷スト證據ニ關ス  
ル規則及細則ヲ制定スルタ、合衆國大統領ハ行動ニ關スル問  
題ニ就テハ何モナシ。

合衆國大統領ハ、ソノ行政動ヲ取ナシ、大統領ハ斯様

No. 7



Doc 2887

ナ規則ヲ制定スルコト何又爲サカフナラハ合衆國ノ裁判所於  
テ刑事訴訟裁判際一般的ニ承認サレテ證據ニ關スル規則ヲ通  
用ニシケルハナラトイフハ確ク國會ノ意嚮デアリニ違ヒテ。大統領  
カノ問題ニ就テ行動ヲ取ツト假定シテ見マヤウ。彼ガソウシクナ  
ラハ出来ル範圍ニ於テ合衆國政府、聯邦廷廷ハ規則デ  
臨ミテハナリマセン。

檢察部ハ戰爭犯罪者其他ノ裁判ヲ支配スル細目ニ關シ澤山ノ  
例ヲ與テケタ。九五年昭和ニナ年九月三十日附手紙ヲ、委員會  
ニ提出サレタ疑ヒナリ起訴者ハ裁判官間例ヲ與テ行クカラ  
ラト思ハラス。證據、如キ手續ヲ陳述シ傳聞ヲ提出シ口供書ヲ  
提出シ、證人カ他人カラ聞イコトヲ提出スルヲ特殊ノ手紙ニ對  
ニ無價值デアリ且ツ空虛トイフコト、手紙全文ハ無價值デア  
リ且ツ空虛トイフコト、マクアーサー、McArthurノ元帥カ、手紙ヲ  
付意スルトキニ、軍事委員會規則或ハ手續ヲ制定スル權能ヲ  
國會カラ與ヘラレナラフコトヲ我々ハ主張ス。コノ世界ニ於テ國  
會カラ與ヘラレタ斯様ナ權カヲ持ツテ居ルハ唯一人大統領カデ  
アラス。而シテテ訴訟中ノ記錄、ホス範圍内ニ於テハ、彼ハ何  
ナル規則ヲ制定スル様ナコトハ、シテ居リマセン。

コノ證人又ハ他、如何ナル證人ナシニ關スル傳聞ハ除カレテ  
ハナラナイヌデアリ。證據トシテ許容スベカラサルヌデアリマス。由規  
則ニ關スル限り、マクアーサーノ元帥ハ容レテ、手紙ニ從ハテヤンテ  
行クヘキヌデナラ、合衆國國會ノ手續法ニヨリテ、ミヤンテ行ク  
ヘキヌデ、ト主張スルヌデアリマス。

コノイフコトニ歸着シマス、即チ國會ハ第三十八條ヲ制定

No. 8

Doc. 2881

シマシタ、明カニ委員會、國會が通過サセウ規  
則ニ從ッテ證據ヲ決定シテ行クベキカ又ハ「クア  
ーサー」元帥が作リ「スタイヤ」/STYER/將軍が  
コノ裁判ヲ行フトキノ指針トナシテ居ル手紙ニ  
依ッテ「ヤツテ」行クベキカヲ決定シテ「リ」ナ  
私達ハ傳聞ハ撤キスベキモノデアリ、計スベカ  
ラザルモノデアルト主張致シマス

レイノルズ/REYNOLDS/將軍委員會、何  
委員カヲ出タ異議デ、ソレニ從ヒ辯護人、  
異議ハ正カト認メマセン

ヘンドリクス/HENDRIX/大佐、私達ハソレヲ  
忌避致シマス

レイノルズ將軍、不同意、陳述ニ因リテハ、  
委員會ノ手續ハ民事、法廷ノ手續ト異リ  
自動的ニ再審ニ從ヒマス、凡テ一却下判決及  
ヒ決定ハ、計ニ任命サルベキ機關、再審スル  
所トナルデアリマス。從ッテ辯護人側/提案  
ノ忌避ノ陳述ハ不法デアリマス。從ッテ本委員  
會ハ之ヲ認メマセン。

NO. 9



28/28  
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CLARKE 大佐

裁判所、御評を頂て、私に申述べらるゝ事、私は、新  
トリス。若し其の檢察部側論、其の又若し彼の根據  
ヲホス事あるに、我々其ヲ尊重シヨト思ヒス。

REYNOLDS 大尉

檢察部側、續テ云々。

問 (HILL 大尉)

JUAN 大尉、私、貴君、先、質問、貴君が委員  
會ニ御話ニシタ其日本大尉ト貴君が話シタ時、狀  
況ニ付キ委員會日御話シ下セ様ニ御願ヒタト  
シタス。

答

私、申シ日本大尉、度々私、家庭ヲ訪シ、彼が  
私ニ東洋、東洋人爲メ、其、血ヲ計スル事ト  
シタ、其、訪問、時、キリト記憶シヤ。之カ、私達ノ戦争  
結果如何カ、就テ話シタ時、彼、遠カニ戦争  
ノ済ム東洋、人達、他、乱カ、平和ヲ暮ス様ニシタ  
ト申シタ。

問

其日本大尉、日本帝國軍隊ト接近シ、貴君達、  
近隣テ如何ニ立場ニシタ、御存知ナリ。

答

私、彼、前衛地ヲ知リ、最後、サント  
MESAニ於テ、之、彼、鐵道建設ニ関係シ、居

No. 10

doc 2 A 81

問 思。

問

左様、話する根據は何處より得たるに付彼、貴君、何

話したる。

答

彼、其に付、何云ふにあらむ。

問

貴君の先、言言する為、多鏡聲、叶聲、聞、後  
赤十字、建物、貴君、庭、如何、下、起、り、貴君、話  
す、鏡、下、下、す。

答

私、更、鏡聲、叶聲、聞、時、私、建物、外、私  
一、宿、所、私、残、り、子供等、建物、中、外、出、来、り、  
一、甲、之、言、も、私、達、二、三、男、子、建、物、外、出、来、り、其、  
一、人、之、言、も、日本兵、出、来、り、見、に、上、か、出、来、り、其、  
一、人、之、言、も、(ROMANO ABAD) 一、彼、足、来、り、口  
一、之、言、も、(PATROUIN) ABAD、赤十字、建、  
物、犠、牲、者、一、人、之、言、も、赤十字、建、物、近、り、三、三、三、居、  
り、彼、之、言、も、鏡、持、ち、垣、を、攀、り、登、り、来、り、  
一、人、日本兵、之、言、も、私、達、所、之、言、も、来、り、彼、見、り、下、り、

話、し、た、り。

問

其、日本兵、之、言、も、越、え、り、貴君、庭、に、侵、入、し、た、り、

答

No. 11



Doc 281

彼：私、庭に入つて来たら止む。庭には何を見てもう。私  
達：成る方にて居る。

ସାମ୍ରାଜ୍ୟ

貴君：何時亦十字、建福、~~一、~~由來事ヲ知リニシタカ

答

其夕々暗クナリカケタ頃ニテエー（シエー）（シエー）（シエー）ト云フ名・私  
・家・女中・又カ防室壕ニ入ッテ来ニシ。彼女・ハ蒼白ト  
極度ニ弱クテ死ニ様ニ見エ話スコト又出来ニヤシニシ。  
其所・私・達・何事カ出来タカト彼女・ニタツネニシ。

புது

一 村師待々下す。彼女、何所<sup>どこ</sup>防室<sup>ぼうしつ</sup>家<sup>け</sup>来<sup>き</sup>るもの。

4/10

市工部局内部の概況

(这次真)

答 スルト 猥々ハ向天然 這キ 咄ビ文ニ  
 殆トシヤルコトモ云 来又修リシク

シレテ 毒や字ノ建物ノ内 部ニ居テ者ヲ 鐵ラズ日本兵ヲ殺シテ  
 コトラ 語りコレヲ 其中ニハ 秘ノ事ト 秘ノ孫全部ヲ合ヒコレヲ居  
 マシテ 其時 初メ 秘ハ 秘ノ家族ノ上ニ 起テテ 財金創ヲ知リコレヲ

明立貝石ハ後六毒十字ノ建物ニ行キニシテ力

答、私ハ二月十日ノ其ノ夜、真夜中頃ニ行ニウトシタル。シカシ

私ト一橋ニ防空壕ニ中ニ居タス。其ノ子僕等ハ特ニ生疎  
者ノ一人カ日本兵カマノ毒ヲ与メ建物の前ニ居ルヲウコトヲ  
話シタカ防空壕カラ出ルノ止メセシメ其所ヨリ私ハ出テ行コソ

トセ知度、日ヲ待タシメテ

問 次、曰、二貴器ハ其所ニ行キヌレタカ。

答 次ノ四ハ 砲撃ヲ非高ニ懸シテ 秘達ハ 砲ト防空壕ヲ出  
ルコトカ 必要ニシテ 方ニ 固圉ノ 建初ハ 全部燃ニテ 居

0.25

問 貴客は後下共、建物へ行かゞた。

次 十一日 午後 八時 市立 病院 (T. S. E. Z. A. B. A.)

LA) 傳ノ要ハ殺セシメテト  
行キミシ大虐殺ノ二日後  
赤十字ノ建物ノ内部ニ

問 貴方が異、建物二行、時ハ明ルケアリマシタカ  
暗クアリマシ

夕

答、ニ外眞暗ト云フ短デハアリマセンヲレタマケ可成え線か

アリマシタ  
ト云フナリ  
アリマシタ

問 貴君の遺物の中へ今テ行く時貴君ハ死体ヲ見ユシガ



Doc 2881

No. 14

答

私ノ妻ヤ子供カ居タト思フ室ニ行カウトシタ時ニ私ハ廊下ニ澤山ノ死骸ヲ見マシタ

問

其ノ廊下ヤ貴君ノ妻ノ死骸ノアルカウト思フタ室ニオヨソ何個位ノ死骸ヲ見タト思フカ貴君ハ委員會ニ述ベラシユスカ

答

私ノ大体ノ見積リハ二十位ノ死骸カアリマシタ

問

其ノ二個所ニデスカ

答

左様デス

問

貴君ノ妻ヤ其他ノ家族ノ者ノ死骸ヲ確メテ取戻スコカ出来マシタカ

答

二月十日ノ夕方私ハ私ノ娘パウリナ(PAULINA)ノ死骸大ケ見付ケマシタ私ハ娘ノ居タ室デ私ノ他ノ家族ヲサカシマシタの見付ケルコトカ出来マシタ

問

貴君ハ其所デ他ノ死骸ヲ見出シ其建物カウ取戻スコカ出来マシタカ

答

私達ハ私ノ娘ノ産メタ生後十日ノ赤子ヲ取戻スコカ出来マシタ

問

其他ノ死骸ハ

答

私ハ其他ノ死骸ハ見出スコカ出来マシタ其他ノ家族ノ者等ハ骨丈ケデシタ

問

貴君ハ其他ノ死骸カ身許ヲ確メシ其建物カウ取戻サレタカトウカ知ツテ居リヌカ

答

コラソンノカレ(CORAZON NOBLE)ノ生後十ヶ月ノ娘ヲ取戻サレ私ノ庭ニ運ハレマシタ

問

フアン/JUAN/サン赤十字ノ建物ノ隣ノ貴君ノ家ニ十日ノ日以後何ノ位居リマシタカ

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答 新達：其屋敷ヲ十四日（即チ）二月十四日ニ迄ナキ  
ニシテ十四日間居ルコト

問 新達：其屋敷ノ瑕疵モ多ク貴君：御自分ノ家ニ居  
ルコトナキ

答 其屋敷ニシテ



問 答

ドンナ風ニ其建物が破壊サレタカ、委員會ニ御話レ下サイマセシカ。  
二月十四日、朝早く、其、時私ハ私ノ家ノ裏庭ニ居マシタカ。  
私ハ實際ニ其所ニ居タコトカアルカ、管理人ノ、フアラロン(F  
ARALON)氏ノ居ル室ノ内側ニチリール光ヲ見マシタ。  
私ハ如何ナツテ行クカ、誰リ建物ノ中ニ居ルカ如何ヲ注  
視シテ居マシタ。シカレ、何人ヲモ認メセシタ。ソレテ暫ク  
ノ間、恐ラク三十分ト立タヌ。私ハ突然ニソノチリール光カ  
爆發シテ、火炎ニナリ、私ノ娘ノ居タ其建物ノ一部カ、火ニ包  
マレタノヲ見マシタ。

問 答

其建物カ焼カレタ時、貴家ノ附近ニ日本兵カ居マシタカ。  
私ハ一人モ認メセシタ。然レ、赤十字ノ建物ノ前面ノ通りニ  
數名ノ兵士ヲ認メシタ。

問 答

其ノ日ニデスカ。

問 答

ハイ、其ノ日ニデスカ。

問 答

赤十字ノ建物ハ貴君カ其燃エルヲ見ラレル以前ニ砲  
彈デヤラレタカ、如何カ、貴君ハ知ッテ居マスカ。

問 答

私ハ氣付キマセシタ。

ヒル／＼エニ／＼大尉

私ハ先ズ此ニ檢認ノ爲ノ、檢察部書

證第十五号ト標記スル様、願シマス。(フィリッピン赤十字

建物ノ寫真カ檢認ノ爲ノ、檢察部書證第十五号ト標

記サシタ)

問 答

(ヒル／＼エニ／＼大尉ニ依リ)

私ハ貴下ニ、檢察部書證第十五号ヲ渡シマス。ソレテ若  
シ貴君カ承知ナラ、其カ何アルカラ、委員會ニ御話シ下サイ。

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答 此以前、スイリツジ赤十字建物ヲ燒失後現在ニ  
ミ、キ、モ、デス

ヒル／エニ／大尉

私達、十五号書證ヲ證據トシ提上シマス

レイノルズ／REYNOLDS 大將

辯護人側ニ異議アリセバ

クラーク／CLARKE 大佐

異議アリセバ 閣下

レイノルズ／REYNOLDS 大將

異議ナキ故證據トシテ受理ス

(檢認、爲、檢察部書證第十五号ハ證據トシテ受理セ

ニ斯ヲ標記セシム)

問 (ヒル／エニ／大尉ニ依リ)

一四日ニ即チ其建物、燒ケル、ヲ貴君が見タ日ニ右本

部、建物、前チ貴君が見タ人々、日本兵デシタ

答 彼等、日本軍、制服ヲ着テ居リ又其狀、一般、其

建物、周圍ヲ歩キ廻ルコトハ出来カシ故日本兵デ

アリマス

問 彼等、日本兵、制服ヲ着テ居リタリ

答 兵士デ

ヒル／エニ／大尉

私ハニテ檢察部書證第十五号ト標記スル様願

ヒマス

(右ハ四ノ赤十字建物、内部破壞、跡、寫真ハ檢認

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、為、檢察部書證第十六号ト標記サシヨリ)

向 (ニル/三三/大尉)

私ハ貴君ニ檢察部書證第十六号ヲ渡シタス、ソシテ若シ  
貴君ガ知リテ居ルナリ、其カ何デアルカヲ語リ下サイ。

答 此ハ、マリリン市ナリ、建物、内部、破壊、跡、一部令  
テアリタス、モハ多分テ泥所、一部テアルト思ヒタス。

(ニル/三三/大尉)

閣下、私達ハ檢察部書證第十六号ヲ證據トシテ提出致シタス。

レイノルズ/REYNOLDS/大尉

辯護人側ニ異議アリトセヨ。

クラーク/CLARKE/大佐

異議アリトセヨ。

レイノルズ/REYNOLDS/大尉

異議アリトセヨ、證據トシテ之ヲ受理シタス。

(檢認、為、檢察部書證第十六号、證據トシテ受理セヨ、  
斯ク標記サシヨリ)

(ニル/三三/大尉)

私ハ之ヲ檢認、為、檢察部書證第十七号ト標記サシヨリ、  
此處ニシタス。

(生後十日、赤子、墓、寫真、檢認、為、檢察部書  
證第十七号ト標記サシヨリ)

問 (ニル/三三/大尉ニ依リ)

私ハ檢認、為、檢察部書證第十七号ヲ貴君ニ渡シタス、  
/JUAN/ナリ、ソシテ若シ知リテ居ルナリ、其カ何デ

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ルカラ御話し下サイ。  
答 此ハ私、家、裏庭ニアル松、娘、生後十日、赤子及ニシ  
ト一縷ニツテサル コラソン・ノブシ / CORAZON NOBLE  
、生後十ヶ月、赤子、墓、寫真アリマス

ニル/ヒル/大尉

閣下 私達、檢察部書證第十七号ヲ證據トシテ提出  
シマス

レイノルト/REYNOLDS/大將

辯護人側ニ異議アリマセシカ

クラーク/CLARKE/大佐

裁判所、オ許シテ得テ申述ナイ、デスガ此等種々、書  
證ニ付私達が異議ヲ述ベタイナリトモ裁判所が満足ナ  
サルナリトモシハ何等、異議ナク認メラシム事ニナリマセシ

レイノルト/REYNOLDS/大將

ハッテリ理解デキマセシカ

クラーク/CLARKE/大佐

唯今讀ミテ此等、書證ニ付、私達が異議ヲ述ベタイ  
ナリトモ、ソレヲツツ誤認ネニナラズトモ、私達ニ異議が無  
イト裁判所ニ於テハ、已テ了解頂キタイ、デスガ

レイノルト/REYNOLDS/大將

結構デス

(檢認、為、檢察部書證第十七号、證據トシテ  
受理セシ、斯ク標記セシトモ)

No. 19

問

ニル/ヒル/大尉

/JUAN/マニカン、貴君がアリソン赤



No. 20

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十字建物、隣、貴君、家ニ。アミラデ米軍ト日本軍、同ニ  
戦争が初る多時カラ二月十四日迄、ロイデニサツタコト、同達  
アリマセカ  
答ハイ同達アリマセ

(次頁ニ読ム)

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問、其ノ向、而シテ二月十日迄ニ、即チ一九五五年ノ昭和二十年二月十日ノ夜マデニ、赤十字本部ビルディングハフィリッピン又ハアメリカ人ニヨツテ何カ軍事目的ニ使用サレマシタカ。

答、当時應急病院トシテ使用サレテ居タノデ、軍ヲ目的ニハ使用サレテハ居マセンデシタ。

問、貴方ハ二月十日ニ、赤十字ビルディングノ外側ニ赤十字ノ徽章又ハ慣用ノ標識が出テキタカドウカヲ見マシタカ。

答、ハイ、私ハ建物ノ裏側ニサエモ赤十字ノ標識ガアルヲ認メシタ。同、其ノ標識ハ建物ノ他ノ側ニモ見ラレマシタカ。

答、ハイ、見ラレシタ。

問、貴方ガ十月ノ日ニ赤十字ビルディングニ入ッテ行ツタ時ニ建物ノ中デ貴方ガ見タ人々ノ中デ、誰レカ何カデ武裝ヲシテ居タモカアリマシタカ。

答、否、武器ハ全然アリマセンデシタ。

問、建物内ノ人々ハ全部皆非戦闘員デアリマシタカ。

答、ハイ、彼等ハ皆非戦闘員デアリマシタ。当時看護婦ヤ医師ノ手ヲ受ケテ居タ子供、避難民及病人ガ主デシタ。

問、殺害ガ行ハレタ後デ貴方ノ知り觀察シタ所ニヨツテ、一九五五年ノ昭和二十年二月十日、赤十字ビルディング内ニ於テ何人ノ者ガ日本兵ノ手ニヨツテ生命ヲ失ツタカ概算ヲ委員會ニ述ベルコトガ出来マスカ。

答、私ハ他ノ部屋ニハ入リマセンデシタカラ人数ヲ正確ニ申シ上ケルヲハ出来マセン。

問、大体何人佐カワカリマセンカ。



答、其ハオヨソ三十名カ四十名位カト想像シマス

ヒル、ヒル、大尉、反対訊問ヲ願ヒマス

反対訊問

問、ヘリール、大尉、依リ、何時マニラニ於テ戦闘が始マリマシタカ。

答、我々ハ我々ノ庭内ヨリ外ニ行ケマセンデシタカラタダ、我々ノキタ場所デハ何時始マツタト云フコトシカ申シテラレマセン。ソウデスカ。戦闘ノ始メカラ二月十四日マデ貴方ハ家ニ居タト、タツタ今貴方ハ我々ニ話シマシタ。私ノ知り度イト思フハ貴方ハ戦闘ノ開始トハドウ云フ意味デアルカダケナデス。何時其レが始マツタノデスカ。

答、アメリカ軍ガ三日ハモウ川ノ北側ニ居タト云フコト聞イタケデシタ。

問、ソウ、貴方ハ二月三日ト二月十日ノ間ニ一人モアメリカ兵ヲ見マシタカ。

答、私カアメリカ兵ヲ最初ニ見タノハ彼等ガ私ノ家ノ庭ノ辺ニヤツテ来タ二月十二日デアリマシタ。

問、其ノ當時、貴方ノ近隣ニフイリッピン兵ガ居マシタカ。

答、私ハフイリッピン兵ハ誰モ見マセンデシタ。

問、二月三日以後空中爆撃ガ續キマシタカ。

答、氣カ付キマセンデシタ。大部分ハ砲弾デシタ。

問、砲弾デシタカ、貴方ガ防空壕ニ行ツタト云フハ砲弾カニ身ヲ守ル為メタツタノデスネ。

答、ハイ。

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問、此ノ砲兵ノ砲撃ハ何時始マリマシタカ、大凡ノ所

答、我々ノ近クニ於テハ砲撃ハ二月九日、其朝始マリマシタ

問、言葉ヲ変ヘテ云ヘバ、赤十字ビルニ於ケル此ノ件ノ前日ニ砲撃

が始マツタノデスネ

答、ハイ

問、ガ貴方ノ住ンテ居ル建物ニ、其ノ日、砲弾ガ命中シタト貴方ハ

言ハレタ様ニ思ヒマスガ、

答、否、前ニ私ガズツト住ンテ居タ初メノ建物ハ其ノ夜日本軍ニ依テ

焼カレマシタ

問、ソレハ二月九日デシタネ

答、ソレハ二月九日デシタ

問、砲弾ガソノ建物ニ命中シタト言ハレタノデハアリマセンカ

答、赤十字ノ裏手ニアル他ノ建物ニハ二月十日砲弾ガ命中シマシタ

問、二月十日デシタカ、判リマシタ、貴方ガ赤十字ビルデインクニ火焼

ヲ見タ時ニ——貴方ハ「チラチラスル火」Flickerト言ハレタト

思ヒマスガ——ソノ光ガチラ／＼シテ居タ部屋ニ誰レカ人ヲ見シタカ

答、誰モ見マセンデシタ

問、赤十字ノ建物カラ火が出始メタ後、其ノ中ニ誰カ一人ヲモ人影ヲ

見マシタカ

答、誰モ見マセンデシタ

問、貴方ハ其ノ建物ノ前ニ數人ノ日本兵ガチルヲ見タト我々ニ話シ

マシタ、此ノ火ヲニ関聯シテデスガ、貴方ガ建物ノ前ニ彼等ヲ見

タノハ一體何時デツタノデスカ

答、火ヲ起ル前ニ私ハ日本兵ヲ見マシタ

No. 23



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問、火事ノ起ルド、位前ニ見タノデスカ。

答、二月十日私が建物ノ内ニ入ツタ時ニ、建物ノ前ニ数人ノ日本兵ヲ見カケマシタ。

問、テハ何日ニ火事が起ツタノデスカ。

答、火事ハ二月十四日早朝ニ起リマシタ。

問、ソウスルト貴方が建物ノ前ニ日本兵ヲ見タハ火事ノ起ルニ日前デシタネ。

答、ハイ、然シ火事ノ後スツト續イテ建物ノ丁度前ノ通りヲ絶エ間ナク日本兵が行動シテキルノヲ見マシタ。

問、貴方ハ二月十二日以後建物ノ前デ日本兵違ヲ見マシタカ。

答、建物ノ真前デハアリマセン。

問、貴方ハ彼等が市内ニ於テ活潑ニ行動シテ居タト云フノデスカ。

答、ソウデス。

問、ヨロシイ、日本陸兵ノ制服がドンナ風カ我々ニ話シテ下サイ。

答、私ハ兵隊達がオリ―デ緑色ノ衣服ヲ着テ居タルヲ見付イタカケデス。

問、何カ徽章ニテモオホエハアリマセンカ。

答、其レ以上何モ気が付キマセンデシタ。

問、日本水兵ノ制服ニ就テ我々ニ説明シテ下サイ。

答、日本兵デスカ。

問、水兵デス、船ニ乗ツテ居ル方デス、水兵デス。

答、私ハ日本ノ水兵ハ誰レモ見マセンデシタ。

No. 24

問、デハオ訊、ネシマスが日本水兵ノ制服がドント風ナモノウ知テ居マス

答、私ハ日本水兵ノ制服ハタク知リマセシ

問、若シ私が日本水兵が日本陸兵ト同ジク緑色ノ服装ヲシテ居タト

云ヘバ、貴方ハソクデ、貴方が見タリシ等ノ人々が陸兵デアツタカ

ドウカ、水兵デアツタカドウカニ聞シ、若干疑問ヲ抱カレデセウカ

答、私ハ鑑、印ノアル帽子ヲ見テ、彼等が水兵デアルト見分ケラレシト云

問、ア、ソレハ結構、ソレデハ貴方ハ日本水兵ハ帽子ニ鑑ヲツケテナル

コトヲ御存知デスネ

答、其レが私ノ見分ケ方デス

問、ソレカラ日本陸兵ハ帽子ニドント徽章ヲ付ケテ居マスカ

答、是デス

問、ソレデ貴方ハ二月十二日赤十字ビルディング前ニ居タリシ人々

ハ帽子モ見マシタカ

答、私ハ帽子ニハ少シモ気ヲ付ケマセシデシタ

リール大尉 〓 フレダケデス

ヒル大尉 〓 フレデ終リ

(證人退出)



Doc. 2881

書類番號二八八一

證明書

余、アルヴァ・C・カーペンター 即チ聯合軍  
最高指揮官總司令部 法律部部長ハ  
茲ニ書號二八八一号ハ マニフニ於ケル  
軍事委員会ニヨリテ執行サレタリ 日本帝  
國陸軍大將山下奉文ニ對スル訴訟ノ裁判ニ  
際シテアル・P・アーンニヨリテサレタル證言ノ記述  
ノ眞實ニシテ正確ナル寫シタルコト並ニ該訴  
訟ニ關スルスベテノ記録ノ證據トシテ提出セ  
ラルタル供書及ビスベテノ證言ノ記述ヲ合  
メテ現在本部ノ保管中ナルコトヲ證明ス

アルヴァ・C・カーペンター

署名

法律部部長

證人ジョー・R・ブリチャード署名

本日一九四六年十月二十六日 日本東京ニ於テ

余ノ面前ニ於テ言ハレタリ

ジョー・R・ブリチャード署名

少佐大尉

即チ裁判

問、ハオ記ネシマスか日本水兵ノ制服カドンテ風オモノク知ッテ居マスカ

答、私ハ日本水兵ノ制服ハヨク知リマセシ

問、若シ私カ日本水兵カ日本陸兵ト同ジク緑色ノ服装ヲシテ居タト

云ヘバ、貴方ハソコデ、貴方カ見タソレ等ノ人々カ陸兵デアツタカ

ドウカ、水兵デアツタカドウカニ聞シ、若干疑問ヲ抱ケルデセウカ

答、私ハ錨ノ印ノアル帽子ヲ見テ、彼等カ水兵デアルト見分ケラレルカデス

問、アノソレハ結構ソレデハ貴方ハ日本水兵ハ帽子ニ錨ヲツケテキル

コトヲ御存知デノデスネ

答、其レガ私ノ見分ケ方デス

問、ソレカラ日本陸兵ハ帽子ニドンテ徽章ヲ付ケテ居マスカ

答、星デス

問、ソレデ貴方ハ二月十二日赤十字ビルデインカ前ニ居タソノ人々

ノ帽子モ見マシタカ

答、私ハ帽子ニハ少しモ気ヲ付ケマセンデシタ

リール大尉 〓 フレダケデス

ヒル大尉 〓 フレデ終リ

(證人退出)



Doc. 2881

書類番號二六八一

證明書

余、アルダ・シカーベニター 即チ聯合軍  
最高指揮官總司令部法律部部長ハ  
茲ニ書類二六八一ニ於テ  
軍事委員会ニヨリテ執行サレタリ 日本帝  
國陸軍大將山下奉文ニ對スル訴訟ノ裁判ニ  
際シテアリ・P・アーンニヨリテサレタリ證言ノ記述  
ノ眞實ナルコト正確ナル爲メナルコト並ニ該訴  
訟ニ關スルスベテノ記録ハ證據トシテ提出セ  
ラルコト供書及ビスベテノ證言ノ記述ヲ含  
メテ現在本部ニ保存中ナルコトヲ證明ス

アルダ・シカーベニター

署名

法律部部長

證人ジョー・R・ブリチャード署名

本日一九四六年十月二十六日 日本東京ニ於テ

余ノ面前ニ於テ宣誓セラル

ジョー・R・ブリチャード署名

少佐大尉

即チ裁判